

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Robert Swartz v Urban Associates Inc**
Docket No. **276883**
L.C. No. **05-011955-CK**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal filed on March 16, 2007, is DISMISSED as to the October 26, 2006 MCR 7.202(6)(a)(i) final order because it was not filed within 21 days of the December 11, 2006 order denying the motion for reconsideration as required by MCR 7.204(A)(1)(b). Appellant could not wait until entry of the MCR 7.202(6)(a)(iv) final order to appeal the MCR 7.202(6)(a)(i) final order as an appeal of the MCR 7.202(6)(a)(iv) final order is limited only to whether the awarding of attorney fees was appropriate. See MCR 7.203(A)(1) and *Baitinger v Brisson*, 230 Mich App 112 (1998). Any appeal of the October 26, 2006 final order must be by application for leave to appeal only. The claim of appeal does remain pending as to the MCR 7.202(6)(a)(iv) final order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 11 2007

Date

Sandra Schultz Mengel
Chief Clerk